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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

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Patent No. 6,575,941Application Number 09/436,741Issue Date June 10, 2003Filing Date November 9, 1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above -- identified patent

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Is a reissue of original Patent No. _____ original issue date _____

original application number _____ Refund Ref: 09/10/2009 CKHLOK 0000168844

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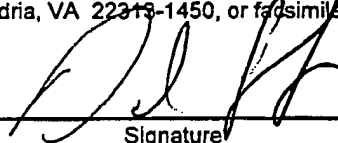
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June 10, 2009

Date



Signature

Daniel N. Smith

Typed or Printed Name of Person Signing Certificate

09/10/2009 CKHLOK 00000030 6575941

Adjustment date: 09/18/2009 CKHLOK
06/12/2009 MBLANCO 00000030 6575941

01 FC:2551

490.00 OP

02 FC:1358

1640.00 OP

[page 1 of 3]

01 FC:1355

-2195.00 UP

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1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 ½ yr fee	(1551)	<input checked="" type="checkbox"/> \$ 555.00	3 ½ yr fee	(2551)
<input type="checkbox"/> \$ _____	7 ½ yr fee	(1552)	<input type="checkbox"/> \$ _____	7 ½ yr fee	(2552)
<input type="checkbox"/> \$ _____	11 ½ yr fee	(1553)	<input type="checkbox"/> \$ _____	11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 555.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(l)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.SURCHARGE FEE BEING SUBMITTED \$ 1640.00

5. MANNER OF PAYMENT

☒ Enclosed is a check for the sum of \$ 2195.00☐ Please charge Deposit Account No. _____ the sum of \$ _____☐ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. _____

p. 4

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8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

Yovette Mumford
Signature(s) of Petitioner(s)

Yovette Mumford

Typed or printed name(s)

781-729-1533

Telephone Number

June 10, 2009

Date

Registration Number, if applicable

120 Johnson Road, Winchester, MA 01890

Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

☒

Maintenance Fee Payment

☒

Surcharge under 37 CFR 1.20(l)(2) (fee for filing the maintenance fee petition)

☐

[Page 3 of 3]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/436,741 Patent No. 6,575,941 B1

Inventor: Yovette Mumford Assignee: Safety Medical
Supply International, Inc.

Filed: November 9, 1999 Issued: June 10, 2003

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OFFICE OF PETITIONS**STATEMENT UNDER 37 C.F.R. §1.378(c) (3) THAT THE DELAY IN
PAYMENT OF THE MAINTENANCE FEE WAS UNINTENTIONAL**

Safety Medical Supply International, Inc. (Hereinafter, "Safety Medical") is the assignee of the above-identified patent. This assignment was recorded on December 9, 2002, at reel 013556, frames 092-094. A copy of the cover sheet listing Safety Medical as the assignee is attached as **Exhibit A**.

Safety Medical respectfully petitions the Director of the U.S. Patent and Trademark Office under 37 C.F.R. § 1.378(a) and (c) to accept an unintentionally delayed payment of a maintenance fee for the above-identified patent. Assignee attaches FORM PTO/SB66 for this petition.

The above-identified patent issued June 10, 2003. Accordingly, the first maintenance fee for the above-identified patent was originally due December 10, 2006. This issue fee could have been paid with a 6-month surcharge by June 10, 2007. This issue fee was unintentionally missed by the assignee.

Under 37 C.F.R. § 1.378(c) a petition to accept an unintentionally delayed payment of a maintenance fee must be filed within twenty-four months after the six-month grace period

Yovette Mumford
Patent No. 6,575,941 B1
Issued: June 10, 2003
Page 2

of the above-identified patent or by June 10, 2009. Accordingly, this petition is being timely filed.

Assignee also attaches the Issue fee of \$490.00, the surcharge of \$65.00 and the surcharge of \$1640.00 under 37 C.F.R. § 1.20(i)(2).

STATEMENT UNDER 37 C.F.R. §1.378(c)(3) By YOVETTE MUMFORD

I, Yovette Mumford, am the inventor of the above-identified patent. I am also the President and authorized representative of the assignee. I hereby declare and make the following statement:

Assignee unintentionally missed payment of the issue fee of the above-identified patent due to the death of the attorney handling prosecution of the above-identified patent and the dissolution of the law firm, Pennie & Edmonds, handling the above-identified patent.

S. Leslie Misrock was the prosecuting attorney of the above-identified patent at the law firm of Pennie & Edmonds in New York City. Mr. Misrock passed away on August 7, 2001. I attach, as **Exhibit B**, a copy of an August 9, 2001 obituary from the New York Times for attorney S. Leslie Misrock.

Upon Mr. Misrock's death, another attorney from Pennie & Edmonds in New York City continued prosecution of the above-identified patent.

However, the law firm of Pennie & Edmonds dissolved on December 31, 2003. I attach as **Exhibit C**, a copy of a December 23, 2003 Press Release from the law firm of Jones & Day indicating that the several lawyers from the firm of Pennie & Edmonds would be merged into Jones & Day.

Yovette Mumford
Patent No. 6,575,941 B1
Issued: June 10, 2003
Page 3

By the time of this dissolution and merger, the above-identified patent had issued. The attorney that had handled prosecution of the above-identified patent following the death of S. Leslie Misrock did not join the law firm of Jones & Day.

I attach a copy of a June 4, 2009 e-mail from the former legal assistant to Attorney S. Leslie Misrock as **Exhibit D**, Gean E Webb-Rotmistrenko. This June 4, 2009 e-mail indicates that the files for the above-identified patent were transferred to storage by Jones & Day. This June 4, 2009 e-mail also indicates that no notifications regarding any issue fee payments for the above-identified patent were sent by Jones & Day.

The first notification I received about any missed issue fee payment for the above-identified patent was on May 29, 2009. On that day I immediately contacted another attorney to begin gathering evidence in support of the enclosed Petition.

Accordingly, I respectfully respect the Director to accept payment of the enclosed maintenance fee as the entire delay in payment was unintentional.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-identified patent.

Jovette Munford
(Signature)

Jovette Munford
(Printed Name)

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DLS
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Daniel N. Smith
Print Name of Signatory

6/10/09
Date

EXHIBIT A



US006575941B1

(12) **United States Patent**
Mumford

(10) Patent No.: **US 6,575,941 B1**
(45) Date of Patent: **Jun. 10, 2003**

(54) **PERMANENT LOCKING MECHANISM FOR SHARP-INSTRUMENT SAFETY GUARD**

(75) Inventor: Yvette Mumford, Winchester, MA (US)

(73) Assignee: Safety Medical Supply International, Inc., Boston, MA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: 09/436,741

(22) Filed: Nov. 9, 1999

Related U.S. Application Data

(63) Continuation-in-part of application No. 09/220,499, filed on Dec. 24, 1998.

(60) Provisional application No. 60/119,373, filed on Feb. 9, 1999.

(51) Int. Cl.⁷ A61M 5/32

(52) U.S. Cl. 604/192

(58) Field of Search 604/192, 263,
604/264, 187, 188, 193, 194, 195, 196,
197, 198, 199

(56) References Cited

U.S. PATENT DOCUMENTS

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* cited by examiner

Primary Examiner—Anh Tuan T. Nguyen

Assistant Examiner—Ann Y. Lam

(57) ABSTRACT

A safety guard is described for use with sharp instruments, particularly with medical venipuncture instruments, and more particularly with hypodermic syringes. The safety guard uses a hinged single-piece assembly in which the safety guard is held in a locked position with a series of lugs formed as part of the base of the device and a series of tabs formed as part of the longitudinal member of the device. This arrangement makes the device especially resistant to the application of transverse or torsional forces. The longitudinal member further includes an opening lip that allows the guard to be opened easily without exposing the practitioner to the sharp end of the instrument. A permanent locking mechanism is provided so that the safety guard may be locked in place after use to prevent reuse of the instrument.

4 Claims, 8 Drawing Sheets

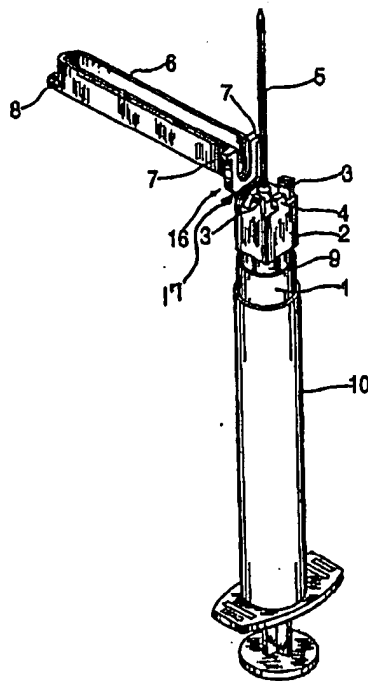


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S. Leslie Misrock -- Lawyer, 73

Published: Thursday, August 9, 2001

S. Leslie Misrock, a New York patent lawyer who was an authority on biotechnology patent law, died on Tuesday at Memorial Sloan-Kettering Cancer Center in Manhattan. He was 73 and lived in Chappaqua, N.Y.

He had prostate cancer for 27 years, his family said.

Mr. Misrock was a senior partner in the Manhattan-based law firm of Pennie & Edmonds and represented many biotechnology companies.

He was born in Jersey City, and he held a bachelor's degree in chemistry from the Massachusetts Institute of Technology, a master's degree in chemistry from Columbia University and a law degree from Fordham Law School.

Surviving are his wife, Barbara; two daughters, Kathryn Misrock Goldstein and Victoria Misrock, both of Manhattan; and a grandson.

A version of this obituary; biography appeared in print on Thursday, August 9, 2001, on section B page 8 of the New York edition.

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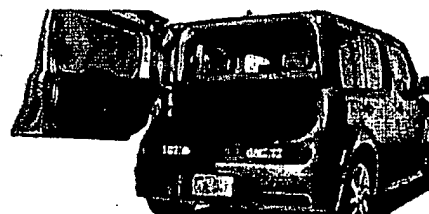
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EXHIBIT C

**FAX RECEIVED****JUL 17 2009****News/Press****OFFICE OF PETITIONS****Pennie & Edmonds Lawyers to Join Jones Day**
December 23, 2003***Forms One of the World's Premier Intellectual Property Practices***

NEW YORK -- The international law firm of Jones Day today confirmed that nearly 100 lawyers from leading intellectual property firm Pennie & Edmonds will join Jones Day in New York, California, and Washington, DC, effective January 1, 2004.

Prior to gaining the Pennie & Edmonds lawyers, Jones Day had one of the largest intellectual property practices of any full-service law firm, counting nearly 175 lawyers within the practice. The Pennie lawyers will both complement and supplement Jones Day's established IP practice, bringing particular strength in the areas of biotechnology and pharmaceuticals, where Pennie has a longstanding track record of leadership in the field; chemicals, electrical, and mechanical; and trademarks, copyrights, and unfair competition.

Jones Day plans to continue Pennie & Edmonds' tradition of an organized program to recruit as law clerks doctoral and post-doctoral fellows in various disciplines and to support their training and promotion as lawyers. Fourteen such law clerks will join Jones Day.

Jones Day Managing Partner Stephen J. Brogan noted, "We are delighted to be joined by the Pennie & Edmonds lawyers. The addition of this group of approximately 100 lawyers who possess extensive experience in intellectual property law will combine with a comparable complement of intellectual property lawyers already at Jones Day to provide our clients a level of service and protection of their assets around the world that few other firms can match."

Robert C. Kahrl, Chair of Jones Day's intellectual property practice, explained, "Bringing on the Pennie team in New York will move our New York intellectual property team beyond litigation; we now have a full-service IP practice, offering patent and trademark prosecution, as well as licensing and litigation. Our New York office will house the largest IP practice in the firm, in the largest IP market in the world."

Pennie practice leader Brian Polissant added, "The strength of Jones Day's existing IP practice in combination with their international footprint made this a particularly appropriate path for us to take, with both firms -- and both firms' clients -- benefiting from our complementary practice profiles."

Jones Day has steadily grown its intellectual property practice over the past decade, doubling its capacity from 80 to 175 lawyers in the last five years alone, most notably by taking on several lawyers from the Los Angeles firm of Lyon & Lyon in 2002, and opening an intellectual property dominated office in Munich, Germany in January 2003. It also has a growing intellectual property practice in Asia, making Jones Day one of the very few firms that has an IP capability that spans the globe.

#

Jones Day is a global law firm with more than 2,100 lawyers resident in 29 locations throughout the world.

EXHIBIT D

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Dear Yovette:

This is to confirm that I was the Assistant to S. Leslie Mirock at Pennie & Edmonds LLP, during the period he represented you and your company, Safety Medical Supply International, Inc. relating to your patent portfolio, the U.S. Patent No. 6,575,941 entitled "Permanent Locking Mechanism For Sharp-Instrument Safety Guard" issued on June 10, 2003.

Unfortunately, subsequently, Mr. Mirock passed away and the firm of Pennie & Edmonds dissolved shortly thereafter. Many clients of Pennie & Edmonds merged in Jones & Day and your patent renewal became an oversight because during the dissolution of Pennie & Edmonds many of our clients files were put in storage and notifications of such things may have been overlooked.

If you need any additional information, please let me know.

Very truly yours,

Gean

Daniel Smith

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☐ The attached Request for Customer Number (PTO/SB/125) form.

PATENT NUMBER (if known)	APPLICATION NUMBER
6,575,941 B1	09/436,741

Completed by (check one):

☐ Applicant/Inventor

☐ Attorney or Agent of record

(Reg. No.)

Yovette Mumford
 Signature

Yovette Mumford

Typed or printed name

☒ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

781-729-1533

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☐ Assignee recorded at Reel _____ Frame _____

June 10, 2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ * Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.363. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND COMPLETE FORMS TO THIS ADDRESS. SEND TO: Mail Stop M Correspondence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Safety Medical Supply International, Inc.Application No./Patent No.: 6,575,941 B1 Filed/Issue Date: Issue Date: June 10, 2003Titled: Permanent Locking Mechanism For Sharp-Instrument Safety Guard

Safety Medical Supply International, Inc. , a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

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1. ☒ the assignee of the entire right, title, and interest in;
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3. ☐ the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above, by virtue of either:

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☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Chain of Title in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Yovette Mumford
Signature

June 10, 2009
Date

Yovette Mumford

President
Title

Printed or Typed Name

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT - POWER OF ATTORNEY OR REVOCATION OF POWER OF ATTORNEY WITH A NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Patent Number	A 575 941 R1
	Issue Date	June 10, 2003
	First Named Inventor	Yvette Mumford
	Title	Permanent Locking Mechanism For Sharp-Instrument Safety Guard
	Attorney Docket Number	

FAX RECEIVED

I hereby revoke all previous powers of attorney given in the above-identified patent.

JUL 17 2009

☐ A Power of Attorney is submitted herewith.

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Statement under 37 CFR 3.73(b) (Form PTO/SB/96) submitted herewith or filed on

SIGNATURE of Inventor or Patent Owner

Signature	<i>Yvette Mumford</i>	Date	June 10, 2009
Name	Yvette Mumford	Telephone	701.720.1533
Title and Company	President of Safety Medical Supply International Inc		

NOTE: Signatures of all the inventors or patent owners of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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